

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JORGE GARRIDO,

No. 2:22-cv-1374 KJN P

Petitioner,

ORDER

v.

WARDEN,

Respondent.

Petitioner, a federal prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241.

Petitioner alleges that the Bureau of Prisons failed to award him credits under the First Step Act. Petitioner is incarcerated in the Federal Correctional Institution-Mendota, which is located in the Fresno Division of this court. Petitioner was convicted in the United States District Court, Southern District of Florida.

In cases in which the petition is directed to the manner in which a sentence is executed, i.e., if it involves parole or time credit claims, the district of confinement is the preferable forum. See Dunne v. Henman, 875 F.2d 244, 249 (9th Cir. 1989) (proper forum for federal inmate to challenge execution of sentence is district where petitioner confined). Petitioner challenges the execution of his sentence. Therefore, venue is proper in the Fresno Division of this court.

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1 Pursuant to Local Rule 120(f), a civil action which has not been commenced in the proper
2 division of a court may, on the court's own motion, be transferred to the proper division of the
3 court. Therefore, this action will be transferred to the Fresno Division of the court.

4 Good cause appearing, IT IS HEREBY ORDERED that:

5 1. This action is transferred to the United States District Court for the Eastern
6 District of California sitting in Fresno; and
7 2. All future filings shall reference the new Fresno case number assigned and shall
8 be filed at:

9 United States District Court
10 Eastern District of California
2500 Tulare Street
Fresno, CA 93721

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12 Dated: August 10, 2022

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14 KENDALL J. NEWMAN
15 UNITED STATES MAGISTRATE JUDGE

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